

Remarks

Claims 1-20 are pending in the application. Claims 1, 2, 15, 16, 18 and 19 were rejected, claims 3-8, 17 and 20 were objected to, and claims 9-14 were allowed. By this Amendment, claims 1, 9, 11, 12 and 15 have been amended. Reconsideration of the claims is respectfully requested. No new matter has been added.

Amendment to Allowed Claims

Claims 9, 11 and 12 have been amended to provided broader scope to the allowed claims. Specifically, the word “tubular” has been deleted from claims 9, 11 and 12. These claims are still believed to be allowable over the cited references.

Rejection Under 35 U.S.C. § 102

Claims 1, 15, 16, 18 and 19 were rejected under § 102(b) as being anticipated by U.S. Patent No. 6,907,802 issued to Schneider et al. (hereinafter “Schneider ‘802”). Independent claims 1 and 15 are discussed separately below.

Applicants have amended claim 1 to more distinctly claim the present invention. Amended claim 1 recites a hose clamp installation tool having a tab disposed on a distal end of a housing “for engaging a first tab of a clamp” and an engagement surface “fixedly positioned relative to the tab for engaging a second tab of the clamp to release the clamp from an open position and allow the clamp to shift to a closed position.” Schneider ‘802 does not disclose a tab that is disposed on a distal end of a housing for engaging a first tab of a clamp and an engagement surface that is fixedly positioned relative to the tab for engaging a second tab of a clamp to release a clamp as claimed. Instead, Schneider ‘802 discloses a tool 10 having an axial rod 42 and a moveable member 14 (see column 4, line 66 through column 5, line 1). The axial rod 42 is “anchored at its proximal end in housing 12” (see column 5, lines 6-7) and includes a hooked portion 43 “used to engage clamp 20” (see column 5, line 13). The moveable member 14 comprises a sleeve 40 that is “moveably mounted on [the] axial rod 42” (see column 4, line 67 through column 5, line 1). To activate clamp 20, the hook portion 43

is first “inserted into slot 28a” of the clamp 20 (see column 6, lines 1-2). Trigger mechanism 48 “is then activated to extend sleeve 40 and to urge sleeve 40 into engagement with tapered arm 29” of the clamp (see column 6, lines 5-6). In other words, sleeve 40 is not fixedly positioned relative to the hook portion 43 for either engaging or releasing the clamp. Moreover, the underside of axial rod 42 (called an engagement surface by the Examiner) does not engage a second tab of a clamp. Rather, the underside of axial rod 42 and hook portion 43 engage the same clamp feature, namely ring member 22 (see column 6, lines 1-5). For these reasons, Applicants believe the rejection of claim 1 has been overcome. Since claims 3-8 depend on amended claim 1, these claims are believed to be allowable for the same reasons.

Amended claim 15 recites “a housing” and “an arm disposed on the housing.” The arm includes “a tab and an engagement surface that contact first and second clamp tabs, respectively, to release the clamp from an open position and allow the clamp to shift to a closed position.” Schneider ‘802 does not disclose an arm that includes a tab and an engagement surface that contact first and second clamp tabs, respectively, to release a clamp as claimed. As previously discussed, hook portion 43 (called a tab by the Examiner) and the underside of axial rod 42 (called an engagement surface by the Examiner) do not contact first and second clamp tabs, respectively, to release a clamp in accordance with claim 15. Instead, hook portion 43 and the underside of axial rod 42 contact a common clamp feature, namely ring member 22 (see column 6, lines 1-5). Consequently, Applicants believe this rejection has been overcome. Since claims 16, 18 and 19 depend on amended claim 15, these claims are believed to be allowable for the same reasons.


Rejection Under 35 U.S.C. § 103

Claim 2 was rejected under § 103(a) as being unpatentable over Schneider ‘802 in view of U.S. Patent No. 5,615,575 issued to Goodwin. Claim 2 depends on amended claim 1. As such, Applicants believe that claim 2 is allowable for the reasons previously discussed.

Conclusion

Applicants have made a genuine effort to respond to the Examiner's objections and rejections in advancing the prosecution of this case. Applicants believe all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. The Director is hereby authorized to charge any fees, or credit any overpayments to Ford Global Technologies LLC, Deposit Account No. 06-1510.

Respectfully submitted,
JAMES PANYARD et al.

By 
Matthew M. Mietzel
Reg. No. 46,929
Attorney for Applicant

Date: June 5, 2006

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351